

REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed January 25, 2006. At the time of the Final Office Action, Claims 1-25 were pending in this Application. Claims 1-25 were rejected. Claims 1, 14 and 23 have been amended to further define various features of Applicant's invention. Applicants respectfully request reconsideration and favorable action in this case.

Rejections under 35 U.S.C. §103

Claims 1-9, 11, 14-16, 18-23, and 25

Claims 1-9, 11, 14-16, 18-23, and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication 2002/0198608 filed by Bruce Allen Smith ("Smith") in view of U.S. Patent 5,915,122 issued to Hiroshi Tsurumi ("Tsurumi") and U.S. Patent Publication 2002/0194412 filed by David A. Bottom ("Bottom"). Applicants respectfully traverse and submit that the above claims are not rendered obvious by the cited art.

In order to establish a prima facie case of obviousness, the references cited by the Examiner must disclose all claimed limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). With respect to Independent Claim 1, the Office Action of January 25, 2006 concedes that neither *Smith* nor *Bottom* discloses the sequential supply of power to server modules. The Office Action cites to *Tsurumi's* sequential testing of batteries as disclosing these aspects of Claim 1.

As amended, Independent Claim 1 recites, among other limitations, "the address module operable to ... calculate a start-up time for each server module based on the unique address for each server module and an inrush load requirement of each server module." *Tsurumi* does not contemplate consideration of the inrush load requirement of each server module (as recited in Independent Claims 1 and 14) in calculating a start-up time for battery module. Instead, the duration of the battery test appears to be based on the address of an associated power controller. See Col. 38 line 64, Col. 39, line 6. Additionally, *Tsurumi* also does not contemplate consideration of any other start-up characteristic of a server as recited in Independent Claim 23 in determining a start up time for a server module.

Because *Smith, Bottom and Tsurumi*, considered separately or in combination fail to disclose each and every recited limitation, these reference cannot render obvious Independent Claim 1 or Claims 2-9 and 11 that depend therefrom. For the same or analogous reasons, the cited reference cannot render obvious Independent Claims 14 or 23, or Claims 15-16, 18-22 or 25 which depend therefrom. Applicants request reconsideration, withdrawal of the rejections under 35 U.S.C. §103, and full allowance of Claims 1-9, 11, 14-16, 18-23, and 25.

Claims 10, 12, 13, 17 and 24

Claims 10, 17 and 24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Smith, Bottom and Tsurumi* as applied to Claims 1 and 14 above, and in further view of U.S. Patent 6,735,704 issued to David Butka et al. (“Butka”). Claims 12 and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Smith, Bottom and Tsurumi* as applied to Claims 1 above, and in further view of U.S. Patent 6,766,222 issued to Raymond S. Duley (“Duley”).

Applicants respectfully traverse and submit that the above claims dependent from claims that have been placed in condition for allowance, thereby obviating the present rejections. Applicants request reconsideration, withdrawal of the rejections under 35 U.S.C. §103, and full allowance of Claims 10, 12, 13, 17 and 24.

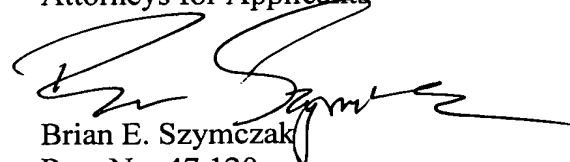
CONCLUSION

Applicants have now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of the pending Claims.

Applicants believe there are no fees due, however, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 02-0383 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2548.

Respectfully submitted,
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